

AMENDED IN ASSEMBLY APRIL 14, 2010

AMENDED IN ASSEMBLY MARCH 10, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1741

Introduced by Assembly Member Coto

February 8, 2010

An act to add Section 53204 to the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 1741, as amended, Coto. Public schools: persistently lowest-achieving schools.

The federal American Recovery and Reinvestment Act of 2009 provides \$4.3 billion for the State Incentive Grant Fund (Race to the Top Fund), which is a competitive grant program designed to encourage and reward states that are implementing specified educational objectives. The United States Secretary of Education has issued regulations and guidelines regarding state eligibility under the Race to the Top program, including specified provisions relating to turning around schools identified as persistently lowest-achieving schools. Under those provisions, a local educational agency governing a school identified as a persistently lowest-achieving school is required to implement one of 4 interventions, as specified under those federal regulations and guidelines. Under the restart model, one of the specified interventions, a local educational agency would convert a school or closes and reopens a school under a charter school operator, a charter management organization, or an education management organization.

This bill would require a local educational agency that ~~elects to convert a school or to close and reopen a school under a charter school operator or a charter management organization to select a charter school operator or management organization that meets certain additional requirements relating to the needs of English learners~~ *selects the restart model as an intervention model to consider certain additional factors relating to the needs of English learners when approving a petition for the establishment of a charter school, and would also require a chartering authority to consider those factors in determining whether to grant the renewal of a charter granted in accordance with those provisions.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares the following:
- 2 (a) Senate Bill 1, enacted as Chapter 2 of the Fifth Extraordinary
- 3 Session of the Statutes of 2010, requires the local educational
- 4 agency of a school identified as a persistently lowest-achieving
- 5 school to implement one of four intervention models specified
- 6 under federal provisions for purposes of implementing the federal
- 7 Race to the Top program. Pursuant to one of those intervention
- 8 models, the restart model, a local educational agency would convert
- 9 a school or closes and reopens a school under a charter school
- 10 operator, a charter management organization, or an education
- 11 management organization.
- 12 (b) The option of converting a school to a charter school can be
- 13 troubling to parents of and advocates for English learners. Little
- 14 data is maintained about the success of English learners in charter
- 15 schools, and English learners are conspicuously underrepresented
- 16 in the enrollment of many charter schools.
- 17 SEC. 2. Section 53204 is added to the Education Code, to read:
- 18 53204. ~~A local educational agency that identifies a persistently~~
- 19 ~~lowest-achieving school and chooses to implement a restart model,~~
- 20 ~~as described in Appendix C of the Notice of Final Priorities,~~
- 21 ~~Requirements, Definitions, Selection Criteria for the Race to the~~
- 22 ~~Top program, published in the Federal Register, Volume 74 of~~
- 23 ~~Number 221, November 18, 2009, by converting the school or~~
- 24 ~~closing and reopening the school under a charter school operator~~

1 or a charter management organization, shall select a charter school
2 operator or charter management organization that demonstrates
3 all of the following:

4 (a) In its program design, the charter school has programs and
5 core courses in place to meet the language and cultural needs of
6 English learners.

7 (b) The charter school has administrators and staff qualified to
8 teach English learners.

9 (c) The charter school has a relevant outreach program that
10 reaches parents and assists them in being involved in the school
11 and understanding how the charter school process works.

12 (d) Programs and staffing are designed to enable
13 non-English-speaking parents to participate fully as partners in
14 their children's education.

15 53204. (a) A petition for the establishment of a charter school
16 pursuant to paragraph (2) of subdivision (a) of Section 53202
17 shall, in addition to meeting the requirements set forth in Section
18 47605, include a reasonably comprehensive description of all of
19 the following:

20 (1) A description of the program design that will provide
21 programs and core courses to meet the academic, language, and
22 cultural needs of English learners at the school.

23 (2) The means by which administrators and staff qualified to
24 teach English learners will be hired at the school.

25 (3) The manner in which a relevant outreach program will be
26 implemented that reaches parents and assists them in being
27 involved in the school and understanding how the charter school
28 process works.

29 (4) A description of the programs and staffing that will be
30 implemented and designed to enable non-English-speaking parents
31 to participate fully as partners in their children's education at the
32 school.

33 (5) If the petitioner currently operates other charter schools, a
34 description of the programs designed for English learners that the
35 petitioner has implemented at other schools it currently operates.

36 (b) A local educational agency that has one or more schools
37 identified as a persistently lowest-achieving school pursuant to
38 subdivision (b) of Section 53200, and selects the intervention model
39 in paragraph (2) of subdivision (a) of Section 53202, shall consider

1 *all of the elements described in subdivision (a) in approving a*
2 *petition for the establishment of a charter school.*
3 *(c) In determining whether to grant a renewal of a charter*
4 *granted pursuant to paragraph (2) of subdivision (a) of Section*
5 *53202, a chartering authority shall evaluate the renewal petition*
6 *pursuant to Sections 47605 and 47607 and shall also consider, as*
7 *one factor, the degree to which a charter school has implemented*
8 *the programs specified in paragraphs (1) to (4), inclusive, of*
9 *subdivision (a).*

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